

*IFW*

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> <b>(Under 37 CFR 1.97(b) or 1.97(c))</b>		Docket No. 17324
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In Re Application Of: Tomohisa Sakurai

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/743,224	December 22, 2003	Henry M. Johnson III	23389	3739	7638

Title: SURGICAL OPERATION APPARATUS AND CONTROL METHOD THEREOF



Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
 17324

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10/743,224	December 22, 2003	Henry M. Johnson III	23389	3739	7638

Title: SURGICAL OPERATION APPARATUS AND CONTROL METHOD THEREOF



**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
  - Charge the amount of \_\_\_\_\_
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  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

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Thomas Spinelli

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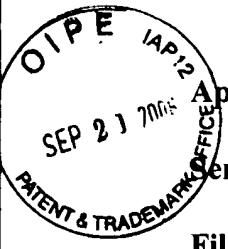
\*This certificate may only be used if paying by deposit account.

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 Thomas Spinelli  
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Dated: September 18, 2006

cc:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



**Applicant:** Tomohisa Sakurai      **Examiner:** Henry M. Johnson III  
**Serial No.:** 10/743,224      **Art Unit:** 3739  
**Filed:** December 22, 2003      **Docket:** 17324  
**For:** SURGICAL OPERATION APPARATUS  
AND CONTROL METHOD THEREOF      **Dated:** September 18, 2006  
**Conf. No.:** 7638

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Patent Application Laid-Open No. 2002-360601, dated December 17, 2002, together with English-language Abstract;
2. Japanese Patent Application Laid-Open No. 11-128242, dated May 18, 1999, together with English-language Abstract;

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 18, 2006.

Dated: September 18, 2006

Thomas Spinelli

3. Japanese Patent Application Laid-Open No. 10-083925, dated March 31, 1998, together with English-language Abstract;
4. Japanese Patent Application Laid-Open No. 2001-203029, dated July 27, 2001, together with English-language Abstract;
5. Japanese Patent Application Laid-Open No. 05-049647, dated March 2, 1993, together with English-language Abstract; and
6. Japanese Patent Application Laid-Open No. 2002-186627, dated July 2, 2002, together with English-language Abstract.

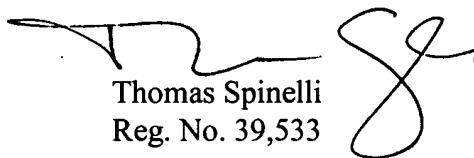
The references were cited in an Office Action dated August 29, 2006 received from the Japanese Patent Office. Applicant is submitting copies of the above-cited references, the Office Action, and an English translation of the Examiner's comments regarding the references from the Official Action. Please note the other reference cited in the Office Action, namely, Japanese Patent Application Laid-Open No. 07-136173, dated May 30, 1995, was previously submitted in Applicant's Information Disclosure Statement dated December 22, 2003. The relevance of the references is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the

contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

  
Thomas Spinelli  
Reg. No. 39,533

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INFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)

O  
SEP 21 2006  
U.S. PATENT & TRADEMARK OFFICE

Docket Number (Optional)

17324

Application Number

10/743,224

Applicant(s)

Tomohisa Sakurai

Filing Date

December 22, 2003

Group Art Unit

3739

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		2002-360601	12/17/2002	Japan				
		11-128242	5/18/1999	Japan				
		10-083925	3/31/1998	Japan				
		2001-203029	7/27/2001	Japan				
		05-049647	3/2/1993	Japan				
		2002-186627	7/2/2002	Japan				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.